

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 2007**

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**Introduced by Assembly Member Grove**  
**(Principal coauthor: Assembly Member Olsen)**

February 20, 2014

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An act to amend Section ~~47601~~ 51747.3 of the Education Code, relating to charter schools.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2007, as amended, Grove. ~~Charter schools: operation. Virtual or online charter schools: average daily attendance.~~

*Existing law requires community school and independent study average daily attendance to be claimed by school districts, county superintendents of schools, and charter schools only for pupils who are residents of the county in which the apportionment claim is reported or pupils who are residents of a county immediately adjacent to the county in which the apportionment claim is reported.*

*This bill would authorize a virtual or online charter school, as defined, to also claim independent study average daily attendance for pupils who are residents of any other county in the state, under specified circumstances, including if the pupil is enrolled in the virtual or online charter school and moves to a residence outside of the geographic boundaries in which the charter school is authorized to operate, and continues enrollment in the virtual or online charter school.*

~~The Charter Schools Act of 1992 allows one or more persons seeking to establish a charter school within a school district to circulate a petition to that effect. The act provides for the establishment and operation of a charter school, as prescribed. Existing law expresses the Legislature's~~

~~intent to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish specified goals.~~

~~This bill would make a nonsubstantive change to the latter provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 51747.3 of the Education Code is amended*  
2     *to read:*

3     51747.3. (a) Notwithstanding any other ~~provision of~~ law, a  
4     local educational agency, including, but not limited to, a charter  
5     school, may not claim state funding for the independent study of  
6     a pupil, whether characterized as home study or otherwise, if the  
7     *local educational* agency has provided any funds or other thing of  
8     value to the pupil or his or her parent or guardian that the *local*  
9     *educational* agency does not provide to pupils who attend regular  
10    classes or to their parents or guardians. A charter school may not  
11    claim state funding for the independent study of a pupil, whether  
12    characterized as home study or otherwise, if the charter school has  
13    provided any funds or other thing of value to the pupil or his or  
14    her parent or guardian that a school district could not legally  
15    provide to a similarly situated pupil of the school district, or to his  
16    or her parent or guardian.

17    (b) (1) Notwithstanding paragraph (1) of subdivision (d) of  
18    Section 47605 or any other ~~provision of~~ law, *and except as*  
19    *specified in paragraph (2)*, community school and independent  
20    study average daily attendance shall be claimed by school districts,  
21    county superintendents of schools, and charter schools only for  
22    pupils who are residents of the county in which the apportionment  
23    claim is reported, or who are residents of a county immediately  
24    adjacent to the county in which the apportionment claim is  
25    reported.

26    (2) *In addition to claiming independent study average daily*  
27    *attendance pursuant to paragraph (1), a virtual or online charter*  
28    *school may also claim independent study average daily attendance*  
29    *for a pupil who is a resident of a county outside of the geographical*

1 *boundaries in which the virtual or online charter school is*  
2 *authorized to operate under either of the following circumstances:*

3 (A) *The pupil is enrolled in the virtual or online charter school*  
4 *and moves to a residence located outside of the geographic*  
5 *boundaries in which the virtual or online charter school may*  
6 *operate, and continues enrollment in the virtual or online charter*  
7 *school.*

8 (B) *The pupil transfers to another school because he or she*  
9 *moves to a residence located outside of the geographic boundaries*  
10 *of the virtual or online charter school, and reenrolls in the virtual*  
11 *or online charter school within two years of his or her transfer*  
12 *from the virtual or online charter school while continuing to reside*  
13 *in an area outside of the virtual or online charter school's*  
14 *authorized geographic boundaries. Under this subparagraph, the*  
15 *virtual or online charter school may claim independent study*  
16 *average daily attendance once the pupil reenrolls in the virtual or*  
17 *online charter school.*

18 (c) ~~The Superintendent of Public Instruction~~ shall not apportion  
19 funds for reported average daily attendance, through full-time  
20 independent study, of pupils who are enrolled in school pursuant  
21 to subdivision (b) of Section 48204.

22 (d) In conformity with Provisions 25 and 28 of Section 2.00 of  
23 the Budget Act of 1992, this section is applicable to average daily  
24 attendance reported for apportionment purposes beginning July 1,  
25 1992. The provisions of this section are not subject to waiver by  
26 ~~the State Board of Education, by the State Superintendent of Public~~  
27 ~~Instruction, state board, by the Superintendent,~~ or under any  
28 provision of Part 26.8 (commencing with Section 47600).

29 (e) *For purposes of this section, "virtual or online charter*  
30 *school" means a charter school in which at least 80 percent of*  
31 *teaching and pupil interaction occurs via the Internet.*

32 ~~SECTION 1. Section 47601 of the Education Code is amended~~  
33 ~~to read:~~

34 ~~47601. It is the intent of the Legislature, in enacting this part,~~  
35 ~~to provide an opportunity for teachers, parents, pupils, and~~  
36 ~~community members to establish and maintain schools that operate~~  
37 ~~independently from the existing school district structure, as a~~  
38 ~~method to accomplish all of the following:~~

39 (a) ~~Improve pupil learning.~~

- 1     ~~(b) Increase learning opportunities for all pupils, with special~~  
2 ~~emphasis on expanded learning experiences for pupils who are~~  
3 ~~identified as academically low achieving.~~  
4     ~~(c) Encourage the use of different and innovative teaching~~  
5 ~~methods.~~  
6     ~~(d) Create new professional opportunities for teachers, including~~  
7 ~~the opportunity to be responsible for the learning program at the~~  
8 ~~schoolsite.~~  
9     ~~(e) Provide parents and pupils with expanded choices in the~~  
10 ~~types of educational opportunities that are available within the~~  
11 ~~public school system.~~  
12     ~~(f) Hold the schools established under this part accountable for~~  
13 ~~meeting measurable pupil outcomes, and provide the schools with~~  
14 ~~a method to change from rule-based to performance-based~~  
15 ~~accountability systems.~~  
16     ~~(g) Provide vigorous competition within the public school~~  
17 ~~system to stimulate continual improvements in all public schools.~~